

M.A. MORTENSON COMPANY

CONTRACT NO. V101C-1268

VABCA-5111-12

VA MEDICAL & REGIONAL
OFFICE CENTER
FARGO, NORTH DAKOTA

Jeanne M. Forneris, Esq., M.A. Mortenson Company, Minneapolis, Minnesota, for the Appellant.

Kenneth B. MacKenzie, Esq., Trial Attorney; *Charlma Jones, Esq.*, Deputy Assistant General Counsel; and *Phillipa L. Anderson, Esq.*, Assistant General Counsel, Washington, D.C., for the Department of Veterans Affairs.

ORDER ENTERING JUDGMENT

1. On November 15, 1996, the Department of Veterans Affairs and Appellant filed a JOINT MOTION FOR JUDGMENT ON STIPULATED SETTLEMENT. The motion encloses a STIPULATION OF SETTLEMENT finally executed on November 13, 1996, entered into by the parties concerning VABCA-5111 and 5112.
2. The parties recite that they have reached "amicable resolution" of the issues which are the subject of VABCA5111-12 and jointly move that the Board enter Judgment in the amount of \$390,000 which "represents a complete and equitable adjustment" to the pending appeals and "includes all costs, both direct and indirect, including attorney's fees and interest." The STIPULATION further provides that Appellant "releases the Government from all liability under Contract V101C-1268."
3. Inasmuch as the parties have stipulated the equitable adjustments due M.A. Mortenson Company in VABCA5111 and 5112, their JOINT MOTION FOR JUDGMENT ON STIPULATED SETTLEMENT is granted. Appellant is found entitled to \$390,000 pursuant to the terms and conditions of the STIPULATION OF SETTLEMENT entered into by the parties.

IT IS SO ORDERED

DATE: **November 20, 1996**

GUY H. MCMICHAEL III
Chief Administrative Judge

